

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

THE WHITEWATER DRAW
NATURAL RESOURCE
CONSERVATION DISTRICT et al.,
Plaintiffs,
v.
KRISTJEN NIELSEN, et al.,
Defendants.

Case No.: 16cv2583-L(BLM)

**ORDER DENYING AS MOOT
MOTION TO DISMISS THE
COMPLAINT**

In light of Plaintiffs' filing of the amended complaint, the Federal Defendants' Motion to Dismiss the Complaint in Part for Lack of Jurisdiction and Failure to State a Claim (doc. no. 39) is denied as moot. *See Valdez-Lopez v. Chertoff*, 656 F.3d 851, 857 (9th Cir. 2011) ("it is well-established that an amended complaint supersedes the original, the latter being treated thereafter as non-existent" (internal quotation marks and citations omitted)); *see also Ramirez v. County of San Bernardino*, 806 F.3d 1002, 1008 (9th Cir. 2015).)

IT IS SO ORDERED.

Dated: January 22, 2018


Hon. M. James Lorenz
United States District Judge

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